

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHERRI SHEER	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	Docket No. 02-CV-02719
	:	
APPLIED DIGITAL SOLUTIONS, INC.,	:	
f/k/a APPLIED CELLULAR	:	
TECHNOLOGY, INC., INTELLESALE,	:	
INC., f/k/a UNIVERSAL COMMODITIES	:	
CORPORATION, MICHAEL KRAWITZ,	:	
<i>et al.</i>	:	
	:	
Defendants.	:	

APPLIED DIGITAL SOLUTIONS, INC.	:	
and INTELLESALE, INC.	:	
	:	
	:	
Third-Party Plaintiffs	:	
	:	
v.	:	
	:	
MARC SHERMAN,	:	
	:	
	:	
Third-Party Defendant.	:	

ORDER

AND NOW, this ____ day of _____, 2002, upon consideration of Third-Party Defendant Marc Sherman's Motion to Dismiss the Third-Party Complaint of Applied Digital Solutions, Inc. and Intellesale, Inc., pursuant to F.R.Civ.P. 12(b)(6), 14(a) and 9(b), and any opposition thereto, it is hereby

ORDERED, ADJUDGED and DECREED that said motion is GRANTED, and the said Third-Party Complaint be, and the same hereby is, DISMISSED with prejudice for failure to

state a claim.

BY THE COURT:

, U.S.D.J.